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24 September 2001

Commissioner for Patents
Washington, D.C. 20231

Box Patent Application

Dear Sir:

This is a request for filing a ☒ Continuation, ☐ Divisional, or ☐ Continuation-in-Part under 37 C.F.R. 1.53(b) of the prior utility patent application Serial No. 09/523,271, filed on March 10, 2001, entitled Deglycosylated Ricin Toxin A-Chain Vaccine, by the following inventor(s):

Robert W. Wannemacher
5607 Calvert Drive
Frederick, Maryland 21703

John F. Hewetson
126 Kline Boulevard
Frederick, Maryland 21701

The Examiner of the prior application is **J. Roark** and the Group Art Unit of the prior application is **1644**.

The Attorney Docket No. for the present application is **P66821US2 (RIID 99-12)**.

I. Application Elements:

1. Preliminary Amendment

- a. ☒ A Preliminary Amendment is enclosed (includes amendment to cross reference to related applications).
- b. ☐ Please amend the specification by inserting after the first paragraph, the following:

11011 U.S. PTO
09/960315
09/24/01

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2. The filing fee has been calculated on the basis of the claims existing in the prior application as amended at 1 above.

	(Col. 1)	(Col. 2)
For	No. Filed	No. Extra
Basic Fee		
Total Claims	23-20 =	3
Indep. Claims	5-3 =	2
Multiple Dependent Claim Presented		

*If the difference in Col. 1 is less than zero, enter "0" in Col. 2

SMALL ENTITY	
Rate	Fee
	\$355.00
x 9 =	
x 40 =	
+ 135 =	
Total	

or
or
or
or
or
or

LARGE ENTITY	
Rate	Fee
	\$710.00
x 18 =	\$54.00
x 80 =	\$160.00
+ 270 =	
Total	924.00

3. Small Entity Status Assertion under 35 U.S.C. 1.27(c)(1):

Applicant ☐ is ☒ is not a Small Entity.

4. ☒ Enclosed herewith is a specification containing:
 (a) 59 pages of description;
 (b) 3 pages of claims (23 claims);
 (c) 1 page of Abstract
5. ☒ Enclosed herewith are 14 sheets of drawings (Figures 1-19).
6. Oath or Declaration
 (a) ☐ newly executed
 (b) ☒ Copy from a prior application under 37 C.F.R. 1.63(d) for a continuation or a divisional.
 i. ☐ A signed statement deleting inventor(s) named in the prior application under 37 C.F.R. 1.63(d)(2) and 1.33(b) is attached.
7. An Application Data Sheet under 37 C.F.R. 1.76 ☐ is ☒ not enclosed.
8. Nucleotide and/or Amino Acid Sequence Submission ☐ is ☒ not enclosed.
 (a) ☐ Computer Readable Form (CFR) of Sequence Listing.
 (b) ☐ Paper copy of Sequence Listing.
 (c) ☐ Statements verifying identity of the above copies.

II. Enclosures:

We enclose the following papers for filing in the United States Patent and Trademark Office in connection with the above-identified patent application.

8. ☐ Assignment papers.
9. The prior application is assigned of record to *.

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10. ☐ 37 C.F.R. 3.73(b) Statement (where assignee).
11. Power of Attorney:
(a) ☒ Power of Attorney in the prior application is to Suzannah K. Sundby, Registration No. 43,172.
(b) The Power of Attorney ☐ is in the original papers of the prior application, or ☒ a copy of the Power of Attorney is enclosed.
(c) ☐ A newly executed Power of Attorney is enclosed.
12. ☒ Enclosed is a copy of the prior application as originally filed, namely Serial No. 09/523,271, filed on March 10, 2000. The entire disclosure of the prior application is hereby incorporated by reference.
13. ☒ Information Disclosure Statement(s) and PTO 1449 which was filed in Serial No. **09/523,271**, filed **March 16, 2001, February 14, 2001 and August 3, 2000** which is relied on for an earlier filing date under 35 U.S.C. 120.
14. ☐ Copies of IDS citations.
15. 2 return receipt postcards.

III. Petition for Extension of Time

1. ☒ A Petition for an Extension of 1 Month(s) is enclosed to extend the life of the above prior application to at least the date hereof is
(a) ☒ being concurrently filed in that prior application.
(b) ☐ was previously filed in that application.
(c) ☐ is not necessary.
2. ☒ If a Petition for an Extension of Time is necessary and the Petition and/or the check is not enclosed, the Applicant hereby petitions the Commissioner to extend the time for response and charge any fees necessary under 37 C.F.R. 1.17(a)(1)-(5) to Deposit Account No. **210-380**, Reference No. **P66821US2 (RIID 9912)**.

IV. Correspondence Address.

The correspondence address for this application is (37 C.F.R. §1.51(vii)):

**Office of the Staff Judge Advocate
U.S. Army Medical Research and Materiel Command
ATTN: MCMR-JA (Ms. Elizabeth Arwine)
504 Scott Street
Fort Detrick, MD 21702-5012**

09560315-092401

V. Statement as to whether invention was made by an agency of the U.S. Government or under contract with an agency of the U.S. Government. (37 C.F.R. §1.51(viii)):

This invention was made by the United States Army Medical Research and Materiel Command, which is an agency of the United States Government.

VI. Claim for Priority:

16. ☐ Foreign priority benefits under 35 U.S.C. 119(a)-(d) is hereby claimed of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Foreign Application: Country: Filing Date:

17. ☒ The benefit of priority under 35 U.S.C. 119(e) is hereby claimed of the United States provisional patent application(s) listed below:

Serial No.: 60/124,283 Filing Date: March 12, 1999 Status: Pending

18. ☒ The benefit of priority under 35 U.S.C. 120 is hereby claimed of any United States non-provisional patent application(s) listed below:

Serial No.: 09/523,271 Filing Date: March 10, 2000 Status: Pending

VI. Method of fee payment

19. ☐ A Check in the amount of ___ is enclosed.
20. ☒ Charge Account No. 210-380, Reference No. P66821US2 (RIID 9912) in the amount of **\$924.00**.
21. ☒ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 210-380. A duplicate copy of this sheet is attached.
- (a) ☒ Any additional filing fees required under 37 C.F.R. §1.16.
- (b) ☒ Any patent application processing fees under 37 C.F.R. §1.17.
- (c) ☒ If the Filing Fee is found to be insufficient for any reason, please charge such deficiency to Deposit Account No. 210-380, Reference No. P66821US2 (RIID 9912).

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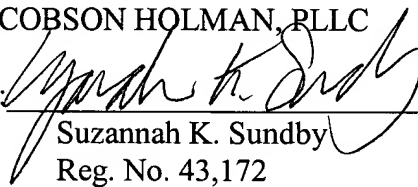
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It is respectfully requested that, of the two attached post cards, one be stamped with the filing date of these documents and returned to our courier, and the other prepaid postcard be stamped with the filing date and unofficial serial number and returned as soon as possible.

Respectfully submitted,

JACOBSON HOLMAN, PLLC

By:


Suzannah K. Sundby

Reg. No. 43,172

Date: 24 September 2001

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